

IN THE UNITED STATES DISTRICT COURT FILED
DISTRICT OF MASSACHUSETTS IN CLERKS OFFICE

2004 OCT -6 P 4: 04

GEORGE IVERSON, Individually,

Plaintiff,

v.

MANFELD HOTEL ENTERPRISES
LIMITED PARTNERSHIP, a Massachusetts
Limited Partnership,

Defendant.

U.S. DISTRICT COURT
DISTRICT OF MASS.

C.A. No. 04cv11835JLT

ASSENTED TO MOTION FOR EXTENSION OF TIME FOR DEFENDANT TO
RESPOND TO COMPLAINT

Pursuant to Federal Rules of Civil Procedure 6(d), Defendant Manfeld Hotel Enterprises moves the Court to grant an extension of time for Defendant to respond to the Complaint, through and including October 18, 2004 based upon the following facts:

1. Plaintiff served the Complaint on Defendant's resident agent, CT Corporation, on or about September 9, 2004.
2. CT Corporation forwarded the Complaint to an incorrect address via Federal Express (two (2) day delivery) on September 9, 2004.
3. The Complaint was returned to CT Corporation by Federal Express as "undeliverable" on or about September 21, 2004.
4. CT Corporation re-sent the Complaint by Federal Express to the same incorrect address on September 21, 2004; it was again returned as "undeliverable" on or about September 23, 2004.

5. CT Corporation forwarded the Complaint to the correct address on or about September 23, 2004.

6. Defendant received the Complaint at the office of Midland Hotel Corporation via Federal Express on September 27, 2004.

7. Accordingly, Defendant has recently received the Complaint and continues to be in the process of assessing and analyzing the Complaint to prepare its response. Defendant requests that the time for filing a response to the Complaint be extended until October 18, 2004, i.e., a period of twenty (20) days from the date it received the Complaint.

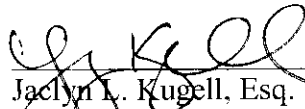
8. Counsel for the Plaintiff has assented to this Motion for an extension of time to file a responsive pleading.

WHEREFORE, the Defendant respectfully requests an extension of time, through and including October 18, 2004, to file its response to the Complaint.

Respectfully submitted,

MANFELD HOTEL ENTERPRISES LIMITED
PARTNERSHIP,

By their Attorneys,



Jaclyn L. Kugell, Esq.

Mass. BBO# 561622

Laurence Donoghue, Esq.

Mass BBO# 130140

Morgan, Brown & Joy, LLP

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Dated: October 6, 2004

CERTIFICATE OF SERVICE

I, Jaclyn L. Kugell, Esq., hereby certify that on October 6, 2004, I served a copy of the foregoing pleading by first class mail, postage prepaid, upon O. Oliver Wragg, Esq., FULLER, FULLER, & ASSOCIATES, PA, 1200 Biscayne Blvd., Suite 609, North Miami, FL 33183.


Jaclyn L. Kugell